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Chairman: Mr. Chowdhury ..... (Bangladesh)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10.20 a.m.

Agenda item 113: Financial reports and audited financial statements, and reports of the Board of Auditors (*continued*) (A/C.5/52/L.12)

1. **Mr. Blukis** (Latvia) introduced, on behalf of the Chairman, draft resolution A/C.5/52/L.12, entitled "Financial reports and audited financial statements, and reports of the Board of Auditors". The text followed the accepted pattern of previous resolutions under that agenda item. After highlighting the main points of the operative part of the text, he noted that the draft resolution was one of the shortest texts on the subject in recent years. That type of focused resolution should serve as a model in the Fifth Committee. He hoped that the draft resolution would be adopted without a vote.

2. *The draft resolution was adopted.*

3. **Mr. Repasch** (United States of America), speaking in explanation of position, said that oversight was a crucial issue which was given high priority by his Government. The text just adopted would help to enhance the effectiveness of oversight in the United Nations.

4. **The Chairman** said that the Committee had concluded the current stage of its consideration of agenda item 113.

Agenda item 135: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*) (A/C.5/52/L.9)

Agenda item 137: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (*continued*) (A/C.5/52/L.10)

5. **Mr. Hanson** (Canada) introduced, on behalf of the Chairman, draft resolution A/C.5/52/L.9, entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991", and draft resolution A/C.5/52/L.10, entitled "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994". The two draft resolutions were very similar in structure, content and purpose. He highlighted the main points of each draft resolution and noted, in particular, that it would be necessary to appropriate funds not only under the scale of assessments for the regular budget, but also under the scale for the peacekeeping budget, to finance the two Tribunals. Since consensus had been reached on both texts in informal consultations, he proposed that they should be adopted without a vote.

6. **Mr. Sial** (Pakistan) said that his delegation would join the consensus on the two draft resolutions, especially in view of paragraph 2 of both texts. It was his understanding that those gratis personnel whose functions were essential to the conduct of proceedings would be phased out by the end of 1998, while other gratis personnel would be phased out in accordance with General Assembly resolution 51/243. The consensus on draft resolutions A/C.5/52/L.9 and L.10 should not be interpreted as having any bearing on the consideration of the issue of gratis personnel in other areas.

7. *The draft resolutions were adopted.*

8. **Mr. Maddens** (Belgium), speaking in explanation of position on behalf of the European Union, said that he welcomed the rapidity with which consensus had been reached on the two draft resolutions; that had been attributable in part to the manner in which the documents had been presented by the Secretariat. He was pleased that, for the first time, the Committee had approved a budget for the Tribunals that would fund them for an entire year.

9. **Mr. Watanabe** (Japan), speaking in explanation of position, said that his delegation had joined the consensus because it was very important to provide the necessary financial resources to the two Tribunals at the current stage of their activities. However, in Japan and in other countries, the prevailing attitude towards the activities of international organizations in general, including the United Nations and the Tribunals, was a critical one from the viewpoint of efficiency and rationalization. Therefore, at an appropriate time in the future, the activities and budgets of the two Tribunals should be reviewed with the aim of enhancing their efficiency and strengthening their operation.

10. **The Chairman** said that the Committee had concluded the current stage of its consideration of agenda items 135 and 137.

Agenda item 12: Report of the Economic and Social Council (*continued*) (A/52/3; A/C.5/52/1)

11. **The Chairman** drew attention to document A/C.5/52/1, in which the General Assembly had communicated its decision to allocate to the Fifth Committee chapter I (Matters calling for action by the General Assembly or brought to its attention), chapter V, section B (Coordination, programme and other questions), and chapter VII (Organizational matters) of the report of the Economic and Social Council (A/52/3) and to refer those chapters also to plenary meetings and to the Second and Third Committees. He suggested that the Fifth Committee should recommend that the General Assembly should take note of the chapters of the report of the Economic and Social Council which had been allocated to the Fifth Committee.

12. *It was so decided.*

13. **The Chairman** said that the Committee had concluded its consideration of the issue.

Agenda item 17: Appointments to fill vacancies in subsidiary organs and other appointments (*continued*)

(e) Appointment of members of the United Nations Administrative Tribunal (*continued*) (A/C.5/52/29)

14. **The Chairman** drew attention to a letter dated 3 December 1997 from the President of the General Assembly (A/C.5/52/29), indicating that the Government of the Democratic Republic of the Congo had decided to replace the candidate from that country whom the Committee had previously recommended for appointment to the United Nations Administrative Tribunal. The new candidate had been endorsed by the Group of African States. If he heard no objection, he would take it that the Committee wished to recommend to the General Assembly the appointment of the new candidate from the Democratic Republic of the Congo, Mr. Victor Yenyi Olungu, to the United Nations Administrative Tribunal for a three-year term beginning on 1 January 1998.

15. *It was so decided.*

16. **The Chairman** said that the Committee had concluded its consideration of agenda item 17.

Agenda item 116: Proposed programme budget for the biennium 1998-1999 (*continued*) (A/52/303/Add.1)

17. **Mr. Farid** (Saudi Arabia) said that his delegation was concerned that information it had requested from the Secretariat on two matters regarding human resources had not yet been provided. It had asked for a list of staff transferred from the regular budget to the support account and for the number of staff members whose posts were proposed for elimination who were from developing countries.

18. **Mr. Maddens** (Belgium) asked whether the Advisory Committee on Administrative and Budgetary Questions was prepared to comment on the results of its consultations concerning the Secretary-General's proposed revisions to the reform package he had submitted, particularly those concerning the decolonization programme.

19. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that in the initial estimates, six posts had been allocated for the Decolonization Unit in the Department of Political Affairs. That Unit was to provide substantive and technical services to the Special Committee on decolonization and would monitor the implementation of the relevant General Assembly resolutions. The report of the Secretary-General (A/52/303/Add.1), paragraph 2.A.3, stated that a D-1 post, a P-3 post and two General Service posts would be provided for the Unit in the Department of Political Affairs. It was the understanding of the Advisory Committee that those resources would provide substantive services to the Special Committee, while the resources for technical servicing would be provided by the Department of General Assembly Affairs and Conference Services. It was for the Committee to decide whether document A/52/303/Add.1 adequately reflected the understanding that had emerged after the deliberations in the Fourth Committee and the subsequent adoption of the resolution in the General Assembly regarding actions of the Secretary-General in the context of document A/51/950.

Programme budget implications of draft resolution A/52/L.19/Rev.1: United Nations Verification Mission in Guatemala (*continued*) (A/52/707; A/C.5/52/21 and Add.1)

20. **Mr. Riva** (Argentina) said that, in informal consultations, the difficulties concerning the programme budget implications of draft resolution A/52/L.19/Rev.1 had been overcome and all delegations had agreed on the text of a proposed decision, to be read out by the Chairman. He hoped that the flexibility which delegations had shown in relation to that text would also be apparent in their negotiations on all other issues concerning the proposed programme budget for 1998-1999.

21. **Ms. Shearouse** (United States of America) said that her delegation was prepared to join the consensus, on the

understanding that the resource requirements referred to in draft resolution A/52/L.19/Rev.1 would be accommodated within the revised estimates for the Secretary-General's proposed budget for the coming biennium.

22. **The Chairman** suggested that the Committee should decide to inform the General Assembly that, should the General Assembly decide to adopt draft resolution A/52/L.19/Rev.1, an additional appropriation of $28,200,000 would be required under section 3 of the proposed programme budget for the biennium 1998-1999; an additional appropriation of $1,752,800 would also be required under section 32 (Staff assessment), to be offset by a corresponding amount under section 1 (Income from staff assessment).

23. *It was so decided.*

24. **Ms. Silot Bravo** (Cuba), speaking in explanation of position, said that her delegation had agreed to support draft resolution A/52/L.19/Rev.1 even though it represented a compromise and did not cover the needs of the United Nations Verification Mission in Guatemala (MINUGUA) through 1999, as originally proposed. The draft resolution was the outcome of a political decision to finance MINUGUA for a shorter period of time, and did not give MINUGUA the financial stability it required. However, her delegation had joined the consensus because it wished to uphold the budget procedures laid down in General Assembly resolution 41/213.

25. **The Chairman** said that the Committee had concluded its consideration of the issue.

Programme budget implications of draft resolution A/C.6/52/L.15 and Corr. 1: Report of the International Law Commission on the work of its forty-ninth session (continued) (A/C.5/52/23 and Corr.1)

26. **The Chairman** proposed that the Committee should adopt the following draft decision:

> "The Fifth Committee decides to inform the General Assembly that, should the General Assembly decide to adopt draft resolution A/C.6/52/L.15 and Corr.1, an additional appropriation of $245,000 under section 6 (Legal affairs) of the proposed programme budget for the biennium 1998-1999 would be required, subject to the guidelines for the use and operation of the Contingency Fund adopted by the General Assembly in its resolution 42/211 of 21 December 1987."

27. *It was so decided.*

Office accommodation at the Palais Wilson (continued) (A/C.5/52/19; A/52/7/Add.4)

28. **Mr. Moktefi** (Algeria), supported by **Ms. Silot Bravo** (Cuba), **Mr. Sulaiman** (Syrian Arab Republic) and **Mr. Zhang Wanhai** (China), said that a number of specific questions regarding that matter had not yet received a satisfactory response. Therefore, it would be best to postpone consideration of the issue until the first part of the Committee's resumed session.

29. **Mr. Halbwachs** (Controller) said, in response to questions posed earlier, that the need for additional office space had arisen because the Petit Saconnex building was scheduled for closure. A proposal was currently before the Swiss legislature that would provide the Palais Wilson premises rent-free indefinitely, and there was optimism that it would be passed. The need for an additional conference room was also still under review. The use of the Palais Wilson had not been restricted to the Centre for Human Rights, but was open to the United Nations in general; thus other offices or agencies could make use of any available space. Regarding the maintenance fees for the building, no element of comparison was available for Geneva. The funds previously allocated for the operation of the Petit Saconnex building would be put towards the operation of Palais Wilson, but an additional amount of between $900,000 and $1 million per year would be needed from the administrative budget of the United Nations Office at Geneva.

30. **Mr. Moktefi** (Algeria), supported by **Ms. Silot Bravo** (Cuba), said that his delegation appreciated the responses which the Controller had offered, but that more specific details were still needed before the Committee could take a decision. The full text of the agreement between the Swiss Government and the United Nations Office at Geneva should be made available to members, along with a list of other organs besides the Centre for Human Rights which would use the space. More details were needed on the programme budget implications for the biennium 1998-1999 of the proposed move and the rationale for the recurring costs. His delegation still had questions regarding the costs of the shuttle bus service and the additional conference room. It would also like to hear more about the cost-effective analysis, as requested by ACABQ in paragraph 9 of its report (A/52/7/Add.4).

31. **The Chairman** said that the Committee would defer consideration of the matter until the first part of its resumed session.

Revised estimates in respect of matters of which the Security Council is seized (A/C.5/52/24; A/52/7/Add.6)

32. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in its report, the Advisory Committee had examined the proposals of the Secretary-General contained in document A/C.5/52/24 concerning estimates for five good offices and peacekeeping missions. The report provided background information on the reasons that had led the Secretary-General to submit those estimates, which had been set at $9,315,100 net. The Advisory Committee had examined those estimates and made comments, but had not deemed it appropriate to make a reduction, trusting that its recommendations, if approved by the General Assembly, would be taken into account. Accordingly, ACABQ was recommending an additional appropriation of $9.3 million under section 3 of the programme budget for the biennium 1998-1999.

33. **Ms. Shearouse** (United States of America) said that her delegation had some questions regarding the revised estimates. It therefore requested that the matter should be referred to informal consultations.

The meeting rose at 11.42 a.m.